

OBITUARY NOTICE OF WM. PARKER FOULKE.

Read before the American Philosophical Society,

BY J. P. LESLEY.

WILLIAM PARKER FOULKE was born at Philadelphia in 1816; was entered as a law student in the office of John B. Wallace, in 1835; continued his legal studies, on the death of Mr. Wallace, in 1837, with John M. Scott; became practising attorney of the Supreme Court of Pennsylvania in January 1841; was married to Julia De Veaux Powel in 1855; and died, at his town residence in Pine street, on the 18th day of June, 1865, in the fiftieth year of his age.

Mr. Foulke was elected to membership in this Society October 20th, 1854, and served it in the Board of Officers and Members in Council from January 1863 until his death. For more than ten years he was a regular assistant at its meetings, and took the greatest personal interest in the doings of the Society; proud of its fame, jealous of its honor, and unremitting in his efforts to direct and enlarge its active usefulness. He possessed uncommon administrative ability. Few men could see so quickly and directly through a complication. None surpassed him in an extempore statement. He was gifted with good judgment as well as with persuasive speech.

The attachment which he exhibited to this venerable institution was in part hereditary; for his grandfather, Dr. John Foulke, became a member of it January 20th, 1786, and afterwards one of the secretaries of the Society. Dr. Foulke was the earliest demonstrator and lecturer on human anatomy in the Medical College of Philadelphia; a polished and liberal man, zealous and humane. During the epidemic of yellow fever he would be absent from his home for several days at a time, devoting himself to medical attendance on the sick in the infected district. There was a tradition in the family that his wife, returning home one day, discovered to her dismay, that every quilt and blanket she possessed had been swept from her beds by the Doctor's orders, and sent where he considered them of more immediately pressing use. Nor was he less enthusiastic in his pursuit of science, and in his methods of instruction. On his return from France, where the balloon had lately been invented, he exhibited one for the first time in America, on the

occasion of a lecture on Pneumatics, at the old hall of the College of Medicine, in Fourth street below Arch, to the great delight of his scientific friends.

Two streams, Philanthropy and Philosophy, ran naturally then through the veins of our departed friend and fellow member. The story of his life divides itself into these two chapters. His love of knowledge not only attracted him to the room in which we sit, filled with souvenirs of men, whose portraits surround us and represent the highest thinkings of the early days of the nation, — and to the rooms of the Academy of Natural Sciences, of which he became a member in November 1849, — but it attached him to the society of educated citizens whatever might be the special ground of their association; and of cultivated foreigners who visited our city. His membership in the Historical Society of Pennsylvania commenced as early as January, 1842, and his interest in its proceedings never flagged.

On the other hand, his warm heart, his sympathy with suffering wherever he saw it, his clear comprehension of the duties of society towards its unfortunate classes, working under the guidance of an uncommonly well balanced intellect, gave him an early and advanced position in the ranks of Christian Philanthropists. It was in 1845 — he was twenty-nine years old — when he took hold of two of the principal reforms of the age, and it may almost be said that he made one of them his own.

In October of 1845 he became a Manager of the Pennsylvania Colonization Society; and was sent as a delegate to the Annual Meetings of the mother Society held at the seat of government in 1853, 1854 and 1855, in which last year, he wrote, as Chairman of the Committee, its report of “plans, for taking steps to obtain a completion of the partial exploration by the Government of the United States of the country lying east of Liberia.” In his message of 1852, the President of the United States had published the fact that incipient measures had been taken towards the reconnoissance of the Continent of Africa, east of Liberia, directing Commander Lynch to attach himself to the squadron for that duty.* Mr. Lynch’s report was made to the Secretary of the Navy from Philadelphia, September 5, 1853.†

This reconnoissance was due to the earnest solicitations of the Pennsylvania Society, under the influence of Mr. Foulke, that

* Annual Report A. C. S. Jan. 18, 1853, p. 13.

† H. Doc. 1. 64 pages.

the stream of emigration should be directed no longer upon the unhealthy coast, but to the salubrious interior of the continent; that stations should be selected in the hill country, and easy communications be established with the ports.* But there was a secret spring of opposition to the scheme, among the representatives of certain portions of the slave-holding population of the South, which all the zealous efforts and enlightened arguments of Mr. Foulke and his fellow philanthropists could not stop. He often used to rehearse his adventures in the Capitol, and among them all the following was not the least instructive and discouraging: "On the night before the day when he expected the final passing of the Bill to secure the appropriation of the \$25,000 necessary for the prosecution of the exploration, he was talking with a certain Senator in a parlor of the hotel. At the close of their interview, this gentleman, striking his hand upon the mantlepiece, said vehemently, 'By —, Mr. Foulke, you shall have your Bill, I'll vote for it!' It was nevertheless the 'No' of this man which on the following day turned the scale against the accomplishment of the desired project. The Bill was lost by *one* vote, and that was the vote of Senator Hunter, who had given him this pledge."

Nothing came of this attempt to complete the exploration; but its record is made interesting, in this memoir, by its relation to the arduous and entirely successful efforts which Mr. Foulke made, in after years, to set on foot the second expedition to the North Pole, commanded by Dr. Hayes. At the same meeting in Baltimore, 1855, Mr. Foulke, as chairman of another Committee on the apportionment of the representation of the State Societies, read its report, written evidently by himself, with his usual forcible statement and skillful arrangement of the divisions of his theme. The Constitution of the Colonization Society was a kind of parody of the Constitution of the United States, which permitted the discussion of political principles belonging to twenty or thirty millions of people, within the narrow limits of a Society which managed to ship five or six hundred emigrants, per annum, and whose entire income ranged between fifty and a hundred thousand dollars. In 1857 Mr. Foulke, as chairman of a committee "to consider the policy of the friends of Colonization, and to report such recommenda-

* See Mr. Foulke's letter to the Nat. Intelligencer, July 1856.

tions," &c., read the report, which he had written; and his admirable style is manifest throughout. His interest in this and various other plans to extol and strengthen the colonization scheme, was inspired by a genuine anti-slavery sentiment, and never lost its zeal. He was elected Vice-president of the State Society in 1863, only eight months before he died.

Mr. Foulke became a member of the Philadelphia Society for Alleviating the Miseries of Public Prisons in July, 1845. In the following November he appears as one of the Acting Committee; and in May, 1846, as one of the visiting Committee for the Eastern Penitentiary. From that time he was indefatigable in his attention to his assumed duties. He studied the subject of Prison Discipline profoundly. He allowed no statement for or against the peculiar Pennsylvania plan of Separation to escape him. He examined into the results obtained at Penitentiaries conducted under other kinds of discipline. He assisted his friend Haviland, the Architect, in devising improved ground plans, elevations and arrangements for new gaols. In all that he wrote on the subject, and it was not a little, one must respect the well studied statements of a thorough bred lawyer, the well balanced judgments of an unprejudiced investigator, and the ardor of a benevolent heart.

Most of his papers on this subject were published in the *Journal on Prison Discipline and Philanthropy*, a quarterly journal of ninety-six pages, two numbers of which had appeared when he was appointed, April, 1845, its editor. He edited four numbers and then resigned, because of other duties. These papers afterwards appeared as separate pamphlets, to be distributed to those who felt an interest in the cause.

In March, 1846, he presented for adoption by the Acting Committee a memorial to the Legislature asking for the passage of a law to secure accurate returns of facts from all the county jails, to serve as a basis for a full Annual Report of Criminal Statistics. In the autumn of that year he made an extensive tour in Pennsylvania and Maryland, to visit county prisons, and published a report of their discipline and condition, which attracted general attention, and produced some needful legislation in the right direction, but not until after voluminous correspondence, and his personal exertions at Harrisburg. Nothing but that tact which characterised him in all his undertakings could have

secured the hoped for result. No man ever exhibited a more refined courtesy towards all kinds and classes of persons. His careful considerateness, his manly concession to prejudice, and to peculiarities of temperament, and his persuasive statement of the points he wished to carry, smoothed away before him all difficulties. But the execution of a law demanding such accurate and uniform reports as were indispensable for his object was found to be less easily attainable than its enactment. On his return from Harrisburg he reported a visit to the Lancaster Jail, which brought about action in the Society resulting in the erection of a new first class prison in that place.

In 1847 he published a description of the New Bucks County Prison. "We look upon its erection," he writes, "as a harbinger of good to the State at large. . . . Thus may we at length accomplish a general reform, which has been too long delayed." Heated and ventilated on the best plan, furnished with baths and every other needful convenience for health, he looked upon this prison as a model.

In the spring of 1850 he submitted the draft of a new law to procure uniformity of jail erection and discipline throughout the State upon the separate system, discriminating between the different classes of detained persons, and providing for the comfort and health of all.

In March, 1851, he published a detailed report of a plan for the New Schuylkill County Prison; and afterwards a description of the same prison erected by Le Brun. "It would be scarcely credible," he begins, "had we not the unqualified fact before our eyes, that our government has permitted county after county to build public prisons in open defiance of the clearly expressed policy of our Legislature; and that, except when the Prison Society of Philadelphia has urged the subject upon the attention of our lawgivers, absolutely nothing has been done towards compelling county officers to give effect, within their jurisdiction, to the design of our laws in relation to public discipline. To our shame be it acknowledged, that while we boast of our reforms, and of their triumphant influence abroad, we are neglecting the most important of our penal institutions. Without a bureau, or even a clerk, or a clerk's cabinet, appropriated to the subject of prison administration; without a report worth the name, upon the condition of jails throughout the State; with a law upon our

statute book which requires annual returns of information, and which is generally unexecuted, although less than five years old; we are content to permit the expenditure of funds, raised by taxation of our people, upon structures, the very ground plan of which is manifestly irreconcilable with the penal system which we are pretending to enforce under the authority of State laws, within the walls of State penitentiaries."

In these words we see the motive that animated our friend in his long struggle with popular prejudice and indifference, in behalf of those whose imprisonment was demanded not by vengeance but by social necessity. He congratulates his fellow citizens of Schuylkill County in their choice of public officers, "who have known how to disregard the paltry suggestions of a misjudged economy, and who have not hesitated to expend the public funds in accordance with the policy of our jurisprudence, and with a regard to the rights of individuals, as well as to the security of the community."

Early in 1851 Mr. Foulke and another member of the Acting Committee, went to Harrisburg to secure the passage of a law such as has been mentioned above. In April they report the success of their arduous labors. The law required the transmission of careful plans for every new county prison to the Secretary of State for his approval. Preparation was now made to furnish such plans when needed, and Mr. Foulke devoted unremitting attention to this work, and his published descriptions of model county prisons, extensively distributed within and without the limits of the State, exhibit his intelligence, discrimination, business capacity and industry.

The summer of 1851 was an active one for him. He reported his tour of visitation to Columbia, Montour, Union, Northumberland, Dauphin, Blair and Berks County Prisons. Some of his reports were minute and laborious. In the following summer he reported at large upon the state of the Berks County Prison: no detail of the building arrangement, discipline, or resulting experience seems to have escaped his practised and philanthropic eye.

In 1852 Mr. Foulke wrote a cordial obituary notice of his friend Haviland, the Architect of the Eastern Penitentiary Buildings, wherein he incidentally states the nature of the philanthropic end which he himself kept steadily so many years in view.

“The visits of Howard to the prisons of Europe, had brought to public notice not only the miserable condition of the discipline in most of them, but also many of their principal defects of construction. The modifications of interior arrangement first suggested for convicts in England, and subsequently enlarged and carried into successful operation in Pennsylvania, required great alterations of material structure. The design was to pass from a state of things, in which there was an indiscriminate association of prisoners without labor, without instruction, without government, almost without restraint, except that of walls, chains, and the brutal tyranny of the strongest or boldest among the prisoners, to a state in which separation, good order, cleanliness, labor, instruction, and ready and continual supervision should be maintained, within the limits of such fiscal economy as public opinion and resources rendered expedient. The earliest and most noted experiments were made at Horsham, Petworth, and Gloucester, in England; and in the old Walnut street gaol, at Philadelphia. The record of these attempts fortunately still remains; and it would be superfluous to discuss their want of adaptedness to any large scheme of separate discipline. The next remarkable effort was at Pittsburg, where a circular prison was erected, so ill suited to its objects, that in less than ten years after its completion, it was demolished. The next step of progress was the erection of the Eastern Penitentiary; and it must be obvious, that much was involved in the success or failure of its architect. There was not in all Europe a building suited to the objects of the contemplated work.”

In April, 1853, his memorial to the Legislature in favor of a House of Correction, was adopted by the Society. About the same time he started the subject of relief for persons suffering from the hardships and oppressions occurring in the practice of the Criminal Courts in the City and County of Philadelphia. So much is now done by various agencies to diminish these particular evils and with such good results, that it is amazing the subject was not earlier broached. It shows how necessary to society, oftentimes, is the watchful, warm-hearted intelligence of a single person.

Early in the Summer of 1855 Mr. Foulke visited Harrisburg, and was astonished and grieved to find that the law of 1847 had

become virtually a dead letter, and he urged the establishment of a Penal Bureau, which, however, was never done. But he published that year under the auspices of the Society a pamphlet of fifty pages entitled, "Remarks on the Penal System of Pennsylvania, particularly with reference to County Prisons," accompanied with elevations and ground plans drawn by Haviland, the pamphlet being a careful recast of a rapid sketch which he, Mr. Foulke, had written for the *Journal of the Society*.* It is full of the marks of a mind used to taking large views and expressing them with a happy faculty. He took occasion in this pamphlet "to renew the serious appeal which it has been our duty," as he expresses it, "from time to time, to make in relation to the local jails of the State." He gives a history of some of the county jails, and of our Eastern Penitentiary, and argues in favor of its system of separation. He adds to this a description of the New York County Prison.

In February, 1858, Mr. Foulke first proposed the appointment of a Committee to revise the Penal Code of the State. His memorial, adopted by the Society, produced in due time the necessary legislation; and he was appointed by the Society on a committee to confer with the State Commissioners, and to suggest such changes of the Code, as the long experience and close observation of the Society, had taught it to think desirable. The Commissioners were appointed in 1859, and a report of the conferences appeared the following year.

In 1860 the report of the three Commissioners was submitted. Mr. Foulke soon after published, in a pamphlet of thirty-five pages, his "Considerations respecting the policy of some recent Legislation in Pennsylvania," the opening paragraph of which will very well illustrate the clearness of his thinking and the beauty of his style:—"The history of reforms of penal discipline resembles in many respects that of other attempts to remedy great social mischiefs. At first we have the disclosure of the main evil, to which the public eye and mind had become habituated, and the real magnitude, nature and causes of which were therefore slowly appreciated by the community at large. Then come the earnest efforts of a few well instructed and zealous reformers, whose laborious task it is to obtain the authority and means requisite for proposed changes. They define the mischief, trace its causes, indicate the departures to be made

* Reprinted by the Society in 1868.

from the old routine, and invent the machinery of the remedy which the government is to sanction, establish and conduct. During the first stage of such an undertaking, all minds are occupied with fundamental considerations; and it is only after the experiment has made progress through some steps of trial, that its details receive the special scrutiny which is indispensable to complete success."

He then takes up once more the old debate between separation and non-separation of Prisoners, and treats the subject of Punishments and Pardons upon the broadest ground. Starting from the acknowledged postulates that it is impossible to form a reliable judgment on the value of outward signs of penitence; that a strict observance of prison rules and discipline can never, by itself, be a fair criterion to enable us to judge how a prisoner will conduct himself after he has obtained his liberty; that suffering is an essential element to any useful prison discipline, on whatever general theory imprisonment takes place, he criticises the whole ground plan of the New Penal Code, and charges to it want of due consideration and consultation, and improper haste. With the legal arguments we have nothing here to do. Our object is only to show in which direction his benevolent intelligence exercised itself.

In the Autumn of 1860 he was appointed a delegate to the Convention of State Prison Wardens, &c. (first held at Philadelphia), adjourned to meet in the City of New York. At the Philadelphia meeting a citizen of Indiana had been appointed to prepare an essay in defence of the Associated or Congregate System of Prison Discipline; and Mr. Foulke to prepare an essay in defence of the Separate System. Three days the Convention sat, and resulted in the formation of a society, to meet for the first time in Baltimore in October, 1861. Mr. Foulke was made its Corresponding Secretary. The breaking out of the Rebellion prevented his ever acting in this capacity; but his essay was published in a pamphlet of 112 pages, and was entitled "Remarks on Cellular Separation, read by appointment of the American Association for the Improvement of Penal and Reformatory Institutions, at the Annual Meeting in New York, November 29, 1860." It is a most elaborately finished argument, vindicatory of the Pennsylvania system of Separate Imprisonment, the ripe result of his observations and reflections

on this his favorite topic, treating the subject exhaustively, with the acumen of a lawyer, and the just feeling of a true philanthropist.

In March, 1861, a committee, appointed the previous November, reported in favor of memorializing the Legislature for a law to reward the good behavior of convicts with a graduated diminution of their sentences. Mr. Foulke opposed this on legal grounds, and especially because the nonconcurrence of the Inspectors of the Eastern Penitentiary had been disregarded. Such a law was however obtained. The Inspectors courteously proposed to the Society an amicable suit to test its validity. A case was made, and the Court pronounced the law unconstitutional. In the initiation and pursuit of his philanthropic measures, Mr. Foulke was studiously careful never to put himself and his coadjutors into a false position, antagonising the statutes or authorities of government. If any change of law was contemplated, he exhibited a most scrupulous caution to avoid hasty and irregular means for reaching the desired end. Hence, in a great measure, his power and success in life. And hence his resignation from the Acting Committee of the Society, in October, 1861, actuated by an unconquerable repugnance to its assumed attitude of antagonism to the constituted authorities of the Eastern Penitentiary. His motives for this step, are lucidly and forcibly set forth in the last article of the last Volume of the *Journal of Prison Discipline*, — an article distinguished for its candor, and no less for the absence of all harsh dealing with the arguments of his opponents, — but so obnoxious to the friends of the new law, that an abrupt termination was put to the publication of the *Journal*. Resolutely opposed to whatever savored of bigotry in politics, religion, or social economy, while he patiently listened to all expressions of opposing opinions, he claimed a fair hearing in defence of his own. Thus ended that long career of active beneficence in this direction, of which all that has been said about it, is a poor and meagre sketch, doing no justice to the weeks and months and years devoted to journeys and examinations, consultations, discussions, conferences with strangers from other States and from European countries, correspondence, reports, addresses, memoirs, besides the constant active duties of inspection in Philadelphia, and attendance upon legislation at Harrisburg. The science of

social punishment and reformation he made his life study. It was not easy to suggest a practical inquiry that had not engaged his thoughts to answer. Persons, therefore, whose views extended no further than the actual condition of prisoners, and whose exertions were prompted mainly by sympathy with their sufferings, found it sometimes difficult to follow him into considerations also for the public welfare, based upon the necessary efficiency of a legislative and judicial government. His endeavor was to reconcile the highest interests of the Commonwealth with the utmost exhibition of humanity towards offenders. He had no sympathy for extremists, whether they took the side of severity or the side of lenity. Penal discipline being assumed needful, the only problem for him was to adapt it to the physical and moral nature of its subjects; that they should suffer no hardship not necessarily involved with the execution of the sentence of the judge, no diminution of health or intellect, and no further degradation of their character, but if possible its reinforcement, to meet temptation again when they reënter free society. These were the just demands of a Christian philanthropy. But beyond these first demands, he advocated as little interference as possible with the law and its official apparatus. This practical, judicious, moderate, candid, and yet earnest zeal, was in all other things, also, eminently characteristic of the man.*

The literary and scientific life of Mr. Foulke showed the same ardent temperament under complete control of an enlightened and disciplined judgment, the same breadth of views giving due value to the most insignificant details, the same elegant tastes inspired by a natural force of character which precluded pettiness and special pleading, and the same generous sympathy with the labors and progress of society, which distinguished the career of his philanthropy. He has left no name in politics, because he comprehended from too high a point of view the fundamental questions of the day and nation; for the same reason he left no name in science, because while he took a most unselfish and sympathetic interest in every investigation and discovery made by his friends at the Academy, he could not devote his time to any special branch of natural history. In spite of

* Many of the material facts narrated above and some of the expressions themselves, were furnished by the memoranda of the late Mr. Fred. W. Packard, of Philadelphia.

the occupations of an active business life, he was seldom absent from the regular meetings both in Broad street and in this Hall, and no man ever enjoyed more thoroughly, or gave himself up more vivaciously to the society of those who dealt exclusively in science. On the broad fishing banks of this sublime ocean of the unknown and marvelous, he seldom cast the line, but his hand was habituated to an equally important task—he was of those who knew well how to steer. No man need desire for himself a purer fame than that of an executive genius in the active world of science. To have been the principal agent in setting on foot and seeing safely off an Arctic expedition, is sufficient of itself to justify the self-satisfaction of any private citizen. In one of his letters to Prof. Bache, dated June 30th, 1860, he modestly alludes to the sailing of the Expedition as “the end of three years of serious and often perplexed effort.”

But I am wrong in saying that he left no name in special science. His name is forever joined with one of the most remarkable discoveries in Palæontology, that of the huge Saurian of the Cretaceous rocks of New Jersey, the *Hadrosaurus Foulkei*; and to a new shell, the *Corbula Foulkei*, found in the same stratum. The history of this discovery is given in full in the Proceedings of the Academy of Natural Sciences of Philadelphia, under date of December 14th, 1858; and it need not here be repeated in detail. It illustrates however his capacity for that persevering and intelligent research, to which modern science owes its triumphs, too well to be passed over with a mere verbal allusion.

Mr. Foulke was living at a country house in Haddonfield, New Jersey, about six miles south-east from Philadelphia, in the summer and autumn of 1858. Hearing of fossil bones thrown out from the neighboring marl pits of Mr. Hopkins, twenty years before, and not succeeding in his attempt to recover them, he obtained permission to reopen the old pit to search for more. It was no easy matter to find the pit itself; and after it had been found, many trials must be made to identify the exact place where bones had been discovered. At last success crowned the undertaking. In the west wall of the pit, under eight feet of surface rock, lay a thin stratum of decomposed shells, and two feet beneath this another, in and on which

were found a pile of monstrous bones, enveloped in the tough, tenaceous, bluish marl, from which they were carefully extricated with a knife and trowel, drawings and measurements being made of each bone where it lay, to prevent embarrassment in the study. Wrapped in coarse cloth and straw, they were despatched to the Museum of the Academy, and are now while I address you, being mounted in the lower hall of the Museum, by the English geologist, Mr. Hawkins, and at his own expense.*

The animal specimen thus discovered is unique. No other like it † has ever been encountered, either in the New World or the Old, although hundreds of bones have been annually turned out from the marl pits of the Atlantic seaboard. Most of these bones, it is true, have been reburied, or destroyed, through ignorance of their scientific value; and there is no knowing how many skeletons of *Hadrosaurus* might have been secured. But as yet, this is the only one; and we owe its acquisition to the scientific cultivation of one, who was prevented from running a brilliant career in special science only by the philosophic scope of his whole life, and the obedience which he owed to other duties. The creature was an immense herbivorous saurian, with huge hind legs and very small arms, a veritable crocodilian kangaroo, as large as an elephant, and as tall as a giraffe. One of the highest living authorities, Professor Huxley, has just published his opinion that we have in this and other allied Dinosaurian forms a synthetic type between the reptiles and the birds. The *Hadrosaurus* may have been amphibious in its habits. Its long lacertian tail and the structure of its feet suggest aquatic

* Mr. Hawkins is well known for his admirable palæontological restorations in the grounds of the Sydenham Palace. He is at present working out, in the Museum of the Academy at Philadelphia, similar restorations of American extinct monsters, for the Central Park at New York. (Nov. 21, 1868. At the meeting of the members of the Academy called to-day to examine the finished mounting, and to listen to Mr. Hawkins' description of the parts, Dr. Leidy, in behalf of the Curators of the Academy, accepted the gift, returned thanks to Mr. Hawkins, and described the discovery of the bones. He gave great praise to Mr. Foulke for the resolution with which he pushed forward his researches, after having been advised that there was good reason for believing, that any bones discoverable would probably be those of mammoth, several skeletons of which had been found in marl pits in New Jersey. As the bones of *Hadrosaurus* which were found were those of the left side of the animal, on which it lay, it is probable that the lost bones, found twenty years previously, had been those of the right side, together with the missing vertebrae and skull.)

† Its nearest relative is the *Iguanodon* of the Weald & L. green sand deposits of Europe. (Leidy.)

habits; but when on shore it must have walked in a measure erect, like struthous birds, or have leaped like the batrachians. When feeding it must have made a tripod of its hind legs and tail, grasping with its short forelegs the branches, on the leaves or fruit of which it browsed, of some kind of evergreen; for all the specimens of wood found embedded with it proved, on microscopic examination, to be coniferous. How its carcass came to lie upon a bed of shells, interspersed with these chunks of wood, is hard to explain. The shells were of forty-two different species, and some of them so fragile and yet so uninjured, the most tender and delicate forms showing no trace of abrasion, and the two valves of all the bivalves being still together, that the water in which they lived must have been either perfectly protected from the winds, or else profoundly deep. The marl itself is sufficient evidence of the stoppage of all the currents carrying sand. We might therefore suppose a bog — or lagoon — or archipelago deposit. But this supposition is opposed by the great geographical extent of the Middle Cretaceous Formation, from New York to New Orleans and Cairo; and by the uniform composition of the mineral, and uniform thickness of the stratum.

It remains then to determine the limits of the ocean in which, and the direction of the muddy current by which it was deposited. The investigation of this question has never to my knowledge been undertaken. Instead of that, an undue degree of attention has been bestowed upon the question of mere age. Vannem, Morton, Rogers, Tuomey, Hall, Meek, Hayden, Marcou, Cooke, Lyell, D'Orbigny, Mantell, are all in turn cited by Mr. Lea, as expressing discordant opinions in attempting a correlation of the Green Sand marls of our side, with the Lower, Middle or Upper Green Sand of the other side of the Atlantic, by means of the imbedded forms of animal life. Now recent investigations into the Cretaceous and Tertiary Formations of the West, — investigations still continued on the largest scale, — teach us how little value is to be set on fossils, whether animal or vegetable, especially vegetable, as indicators of precise contemporaneity. They show how the principle of life has pursued its route of development through a normal series of forms, at different rates on distant continents, and in separate water basins; one region out-stripping another in the Darwinian race;

and anticipating it in the fresher analogons of the fading out life-forms. Questions then of the comparative chronology of strata in Europe and America by fossils, are of less importance than questions of structure and process and condition — questions not of the *when*, but of the *how* and *why*.

Where was the forest in which this strange creature browsed? What was the river down which his dead body floated? Where ran the shores of the sea in the marl of which he sank? Why were his bones not destroyed before the sediment could cover them? How high were the Germantown hills in that Cretaceous era? And what was the Gulf Stream doing? How far may the dip of the visible strata carry out the marl beneath the Atlantic seaboard? What has given this almost imperceptible and yet universal south-east inclination to all the Cretaceous and Tertiary Formations of the Tide Water border of our Continent? These, and other questions like them, are worthy of the sleepless thought of our geologists. But a prolonged discussion of whether the facies of the fauna of the Haddonfield marls is enough like the facies of the fauna of the Blackdown Greensand of Fitton, or the Cénomanién of D'Orbigny's enumeration, to establish the Synchronism of their deposition, seems almost puerile, as we know that every region has its different fauna at the present moment. Such questions may do to exercise the observations of young geologists and stimulate their classifications. But trained and experienced thinkers will busy themselves with far more difficult and delicate questions, until the settlement of which our science will continue to wear too much the semblance of a watchcase without the works. It was chiefly because of his interest in such questions, that Mr. Foulke never engaged in the determination of specific forms. His mind was philosophic in the largest and highest sense, and loved to deal with questions of the most comprehensive reach; while he felt all the importance of accuracy in details, and the genuineness of fundamental data. But he was especially inspired by the progress of Human Knowledge; and many an hour he spent discussing its steps and stages in the history of the past, its lines of movement now, and the indications of its future course.*

* Mr. Cope has recently made the important discovery of a fresh-water stratum of blue clay, apparently lower in position than the Hadrosaurus bed of Haddonfield. The new locality is six miles north-east of Camden, and ten miles north of the pit in which the Hadrosaurus was found (see Mr. Isaac Lea's

Among the earliest acts of the founders of the Academy of Natural Sciences of Philadelphia, was a resolution that its origin should date from the 21st day of March, A. D., 1812. The Anniversary of this day in 1854, was a marked occasion; because of the desire that the members felt to celebrate the erection of their New Hall. Members, Correspondents and their guests assembled at a sumptuous dinner in the Musical Fund Hall. On the evening previous a discourse was pronounced by Mr. Foulke before an audience assembled in the Hall of the

paper in the Proceedings of the Academy of Natural Sciences of Philadelphia, read June 9, 1868). Eight species of *Unio* and two species of *Anodonta* were found by Mr. Cope. Mr. Conrad refers the blue clay to an ancient water-course of the Delaware river, which there is some reason to believe crossed middle New Jersey in a direct line to the sea shore. If this blue clay be indeed above the Hadrosaurus Green Sands, then the remarks above, in the text, on the invalidity of fossil determinations of age between widely separated regions receive additional force; for the fresh-water Wealden, with its *Iguanodon* remains underlies the Green Sand of England. On the other hand, Messrs. Meek and Hayden have found extensive fresh-water deposits at the mouth of the Judith river in the Central basin of the North American Continent, and consider them as constituting the bottom subdivision (No. 1) of the Middle Cretaceous. Such deposits can hardly have relationships of time with one another as marine deposits have. They are the local phenomena of all ages. The Delaware river has flowed in about the same channel which it now occupies ever since the close of the New Red, Norristown, or Connecticut River Sand Stone era; a channel determined by the topographical features of the Baltimore-Philadelphia Lower Silurian (Quebec Group?) hills, on which Germantown, back of Philadelphia, is situated, and terminating in a promontory at Trenton. This range of hill land must have been higher in the air before the close of the New Red era than now, because it has suffered immense erosion since then. But apart from that consideration, it must have been carried bodily upward to a still higher general level, by that rise of the Continent, which not only dried the New Red estuary basin, but elevated the New Red sediments many hundred feet, forming the Pennsylvania and New Jersey New Red hill country of the present day. But this elevation could not have been effected without the production either of hill country, low plains, or submarine shallows all along the area now occupied by Southern New Jersey, Delaware, &c. The River Delaware may at that time have had a much longer course, but in what direction, would be determined by the nature of the uplifted land. It may have meandered through vast marshes, like those of the Carolina sea board; or it may even have flowed far away toward the southwest into the Susquehanna river, itself prolonged. In this river channel would have been deposited the fresh-water blue clay with Mr. Cope's *Unionida*. Subsequently, a reversed or downward movement shortened the river, submerged the outside land, produced an archipelago along the coast and permitted the deposit of the Cretaceous and Tertiary formations, which, by a final reëlevation, have now become Southern New Jersey, Delaware, Eastern Virginia, &c. But the more recent discovery of the bones of a postpleiocene horse, by Prof. Cope, in such relations to this clay bed, as to make it pretty certain that the animal was embedded in it, near its lower limit, relieves us from the necessity of considering the deposit older than the Hadrosaurus marl.

University of Pennsylvania. This address was afterwards published for the Academy. It recounts the progress of the Academy from its beginning, when, in the shop of an apothecary, at the north-east corner of Market and Second streets, John Speakman called about him the intelligent scholars and amateur naturalists which Philadelphia already then possessed, making his shop a centre of literary and scientific gossip, and then with Jacob Gilliams, Troost, McMahon, Mann, John Shinn and Parmentier, organized regular meetings in Mercer's Cake Shop near the corner of Market street and Franklin place. He described the *growth* of the Museum, from the time of its removal to the corner of Twelfth and George streets, 1828, until it filled with its treasures the rooms it occupies now to overflowing.

An apology for such an institution follows naturally in the course of his address. It was not an uncalled for display of eloquence. The fine sciences and fine arts cannot flourish in the open air of a democratic commonwealth. They need the hot house culture which the concentrated power of an autocracy, or the exclusive privileges of an oligarchy, alone seem competent to afford. The splendid monuments of Egypt and India rose at the bidding of tyrants, invested with priestly omnipotence. The glories of Athens and of Rome appeared at sunset of their republican liberties. The learning of Islam was the culture of the Caliphs. Norman and Gothic architecture was imported from the Orient at the close of Crusades, which destroyed the peerage of feudalism, and constituted empires from its ruins. The commerce of Genoa and Venice manured the ground, but the Dorias, Viscontis and Medicis, planted and reaped the first crops of that art and that learning which we now enjoy. The Paris of to-day is a monument of irresponsible power in the hands of a man. The London of to-day is a monument of irresponsible power in the hands of a class. But the Philadelphia of to-day builds no monuments. It builds private stores, private churches, and private mansions. Its great lack is an absence of centralization. Its democratic polity is that of an army without head quarters. Ill-natured criticism would have too much reason if it said that it belonged in the division of the Articulata. Its intellect and taste, like scattered brands, cannot blaze and spread into a general flame. Our citizenship plumes itself, not on realizing

great ideas of public good and beauty, but on the universal distribution of loaves and fishes to the multitude. A cynical herald might escape punishment who gave for its blazon a dragon Argent, couchant, on a field Or, drinking champagne from an oyster shell, and holding aloft a liberty cap upon the end of its tail.

Philadelphia was once governed by an aristocracy of intellect and taste. But our Wistar party is no more. Our Chinese Museum is burnt down. Our Museum of Natural History is perishing for want of a few thousands to pay for its proper care. Our Philosophical Society owns scarcely a single book that represents the advanced intelligence of the present generation, and the few that it possesses are acknowledged in its proceedings as *donations*.

Is there not an explanation of all this at hand? Are not private luxury and public spirit inconvertible forces of nature.—mutually destructive. The associative interests of a democracy produce a uniform balance of rights, and a uniform mediocrity of character; while the personal pride of an aristocrat compels him to shine as a public benefactor. While vulgar men grasp political power to convert it to the base uses of the present hour, men of rank in family, intellect, and taste, regard the future, and love the grand: *Noblesse oblige*.

Mr. Foulke did not, indeed, say these things in his anniversary address, when he urged the utility of preserving and enlarging the Museum of the Academy of Natural History, for the well-being of the population of his native city. But in private conversation, no one lamented more that general lack of appreciation for the more spiritual adornments of a commonwealth which is manifested by even those who devote themselves most zealously to schemes for increasing the material wealth and comfort of the community.

In this discourse he exclaims: "Do you not desire to become participators in some way with those who are hereafter to strengthen and enlarge the resources of such an institution and to apply them to the general good? As men you have the common interest of the species in whatever can augment and vary the instruments of civilization. . . . Surrounded by luxuries, secure in the enjoyments of home, or engaged in the cheerful commerce of society, have you no offering to make to the treasury of this temple? . . . You have children, who may be taught

the value and the dignity of its relationships to human progress. Consider how your obligations are strengthened by circumstances peculiar to the age in which you live, or to your own country. . . . Let men of science be assured that you appreciate what they are doing and suffering. . . . The days of fire and faggot have indeed passed away. . . . yet the roll of the martyrs of science was not ended with those who suffered by the dungeon or the stake. . . . It is hazarding nothing to say that an important novelty in science, however clearly and firmly attested, might be received as unwillingly and contested as hotly, and might make as wide breaches of social connections, as could be asserted of the modern systems of astronomy and geology at the time of their first promulgation. . . . It is over the newly-made grave of Morton that science once more appeals to mankind to cease from outraging the name of Religion by persecutions of those who honestly seek to read aright the works of the Master of Life."

As may be judged by these dislocated fragments of discourse, Mr. Foulke was an ardent champion for freedom of scientific and religious opinion. His zeal in this quarter led him to the publication of a pamphlet, in 1857, entitled "Notice of Some Remarks by the late Mr. Hugh Miller, &c.," being certain passages on pages 159, 160, 161 of the first American edition (1854) of Mr. Miller's *Lecture on the Two Records, Mosaic and Geological*, and other passages on pages 171 to 175. These passages were cited by Mr. Foulke at a meeting of the Academy (May 9, 1854), in a kind and most respectful manner, merely with the design to guard against such unwarranted generalizations of science as Mr. Miller allowed himself for theological purposes. His remarks bore upon the importance of maintaining scrutiny of the logic of the natural sciences, especially now, during a prevailing disposition to "reconcile" the results of scientific researches, by extreme processes, with the popular interpretation of certain texts of the Mosaic history.

In the next American edition of the *Two Records*, published shortly before Mr. Miller's death, notes to these pages appeared, charging Mr. Foulke with downright unfairness, and speaking scornfully of his connection with a learned society. In order to correct such complete misapprehension of the motive and drift of his criticism, Mr. Foulke replied at the meeting of the Acad-

emy, May 5, 1857, giving all due credit and respect to so distinguished an opponent, but reiterating and re-enforcing his arguments, and rebutting the charges made against himself. Soon after the appearance of the notice in the Proceedings of the Academy, Mr. Davies, a Scottish clergyman, addressed a letter to Mr. Foulke, expressing hearty concurrence with his view of the value of Mr. Miller's reasoning.

Another episode in Mr. Foulke's life was produced by the tantalizing circumstances connected with the suspension of the Reports of the Geological Survey of Pennsylvania. The field work, which had occupied seven years, ceasing in the fall of 1840, the materials for illustrating the final Report were placed by Professor Rogers in my hands; and in 1842 I had completed the State Map, the Geological Sections across the State, and drawn or redrawn for the wood-cutter all the diagrams which afterwards were published in the two quarto volumes of the Final Report. Then my connection with the survey ceased. Mr. Rogers moved his residence to Boston. There was a dead-lock between him and the State authorities at Harrisburg. They held the treasury and he kept the manuscripts.

At the beginning of the winter of 1846, '47, he wrote to me to come to him in Boston. A demand for the MSS. had been made which he could not resist, and he wished me to duplicate the whole, which I did: the Map of the State, the long sections, and all the illustrations of the text, with parts of the text itself. This copy was sent to Harrisburg. There it lay, without finding an editor, until the winter of 1850, '51, forgotten or despised. Some said it was useless; others, that it would be used too well by designing men. Some accused it of tedious verbiage; others, of culpable incompleteness. Some alleged that the surface of Pennsylvania was still too unsettled to make a truthful survey possible; others, that the progress of mining and railroad surveying had left the assertions of the report behind them among disproved and exploded things. There were hardly a dozen men in the whole Commonwealth who knew either the character of the Report or the actual value of the Survey. Among these Mr. Foulke occupied perhaps the most prominent position; and he it was who finally succeeded in dragging up the buried manuscript into public notice, and in stimulating sufficiently public opinion in its favor to get an act passed for its publication. The

fight was stubborn. Mr. Rogers, being advised to remain at a distance and abide the result, did not appear in the transaction. The cry was raised, Let us have the Final Report, whatever it is, and have done with it! let us see what we have paid a hundred thousand dollars for, at all events.

On the 12th of April, 1851, a resolution passed the Legislature by a vote of 49 to 42, appropriating \$32,000 to the revision and publication of the Final Report of the survey. Excepting one or two who were entrusted with the secret, the members were unaware that additional surveying was in question. Mr. Rogers however, immediately took the field, assisted by Mr. Sheaffer, Mr. Desor, Mr. Lesquereux, and myself. Mr. Sheaffer brought to the work his long experience and thorough acquaintance with the underground of the anthracite region. Mr. Lesquereux perfected his system for identifying the different coal-beds by their vegetable fossils. Mr. Desor applied his Alpine studies to the local drift, the outcrop marks of the region to be studied. I undertook the task of mapping on a large scale, and representing in light and shade the surface aspects, the outcrop terraces, the sandstone ribbing of the gaps, the varied erosion of the crests, and the relationship which the opened gangways bore to these. The Southern Basin, from ten miles east of Pottsville to twenty miles west of it, was cross-barred in parallel lines, one or two thousand feet apart, running from the crest of the Sharp Mountain, about N. 25° W. to the crest of the Broad Mountain, and in some cases to the summit overlooking the valley of the Mahanoy. These lines, measured, levelled, and staked, were tied together by transverse staked and levelled lines, one set running along the hill tops, another along the valley bottoms. To this system all the railroad surveys were tied; the branch roads, gangways, trial and air shafts were located properly; and in a few indispensable cases, where beds had not been opened, new trial shafts were made.

Six months passed thus, every working moment occupied. The map advanced as the surveying furnished the material. Still, quite as much remained undone. Another year was wanting to complete the first and second basins, to say nothing of the third. But Mr. Rogers could not keep his corps together. The following spring he employed a land surveyor (Mr. Poole) to complete the map as far as Mauch Chunk, and joined with him a

worthy geologist, Mr. Dalsen. These gentlemen reduced my large sheet maps to one on a very small scale, which was some years afterwards published as part of the Atlas of the Final Report.

The sheets of the great map have never seen the light. They are probably in Mr. Rogers' portfolios. He once informed me that he considered them the only perquisite attached to his office as chief of the survey. The loss is perhaps now irreparable. They became private property by a subsequent act of Legislature. For the act of 1851 seemed to bring the publication of the Final Report no nearer to a pass than ever. And it was not until an arrangement was made, by which Mr. Rogers should obtain personal propriety of all the records, maps, pictures, and characteristic fossils of the survey, for the consideration of one thousand copies delivered to the Legislature, that the book appeared. And this was not until 1859, when the publication was made by a firm in Edinburgh.

Mr. Foulke's interest in the Survey was of a purely scientific and philanthropic character. In February, 1851, he wrote to Mr. G. H. Hart, a member of the House: "You are aware that I have no connection with nor interest in such a subject, except what is common to all my fellow citizens — that in my journeys through many of our counties (probably more than two-thirds of them), and in conversation with experienced persons, and in my reading of essays and reports of scientific men and other ways, I have received illustrations more numerous than those to which other citizens have general access; and that the convictions thus fastened upon me are the reasons for my intervention in this business." He wrote to Mr. Rogers, the same month: "It is proper to say to you that any part which I take respecting the publication of the final report upon the geology of Pennsylvania is prompted exclusively by my opinion of the value of that report; by a regard to the position occupied by the State government, and by a sense of justice in relation to yourself. It will therefore be unnecessary to include me in any pecuniary arrangement which it may appear to you expedient to make for the purpose of forwarding the publication."

And it was in this spirit that all his acts having reference to public affairs were performed.

Another instance of his active interest in things affecting the general good, is afforded by the history of the erection of the Academy of Music, or Opera House, at the corner of Broad and Locust streets. "I am not of the number of those (he wrote to a friend, under date of April 3d, 1852,) who think that the shortness of life is a reason for despising or avoiding its enjoyments, but it *is* a reason for maintaining a proportion and subordination of our activities, and for selecting the objects of these according to a standard of choice which accords with the highest laws of conduct known to our race." There remain among his private papers "more than 120 memoranda, drafts of speeches, letters, notes, &c., in his handwriting, having reference to the project. He was one of three who set the enterprise on foot, and he promptly took practical measures with regard to it. The earliest decisive movement towards it was in 1852, when [March 4th, 1852] an Act to incorporate the 'American Academy of Music' was passed. A supplement to this act of incorporation was drafted in the following April, by Mr. Foulke, and was taken by Mr. A. H. Smith, to Harrisburg. Owing to the financial condition of our country the project lay dormant for a year. In April, 1853, Mr. Foulke set about stirring up in its favour the interest of influential persons. He advocated the undertaking for a variety of reasons. He held that 'to lay the foundation of such a system would enable us hereafter to command the best musical talent of the world, and would enable us to provide for the cultivation of such talent among ourselves.' Contemplating the use of the Opera House for representation also of the drama, he desired to see brought about the purification of the taste and manners of the masses, by elevating the standard of popular amusements of this sort."

His views respecting the proper method of attaining this desirable end were peculiar to the generous scope of his own mind, and illustrate his character well. He contended for a music house for the people at large; not to be one of the exclusive luxuries of the fashionable and wealthy; a house to contain four or five thousand persons, admitted at low rates; an institution to excite general popularity; able to cultivate a universal taste for the best music, and obtaining thus every year a surer guaranty for its usefulness; "providing" as he said, "by liberality of design for the future enlargement of our musi-

cal and dramatic resources, regard being had to the rapid growth of our population and wealth." He designed as part of the plan, a liberal support for the minor performers, so that they might be, or become, permanent residents of the city, and thus prevent the Opera House from falling into the hands of foreign managers of troupes, whose expenses would necessarily raise the price of tickets to a figure that must practically exclude the people. But he was overruled; and the erection of an Academy of Music has done comparatively little for popularising the best music of the old world among the common people of our city. Whereas, the effects of its central influence should already have been seen in an improvement in musical culture in every county of the State; just as the influence of the Loyal Union League has improved the political knowledge, sentiment and zeal of the whole commonwealth.

The quality of Mr. Foulke's mind may be measured, perhaps, as well by his *Essay on the Right Use of History*, as by any other memorial of his life. He had been one, with Mr. Joseph R. Ingersoll, the Rev. Albert Barnes, and Bishop Potter, appointed to deliver addresses before the Pennsylvania Historical Society, in December, 1850. His address was published, with others, in 1856. It shows his disposition to take the most comprehensive view of every subject coming under his attention. He chose for his theme the practical advantage of a study of history for the young, and the best method of reaping that advantage. Granting the value of special research, he urged that more was necessary than "merely to gather, with the minute diligence of the typical antiquary, relics of the former time; to trace partially defaced inscriptions; to perpetuate images of decaying edifices, or the details of obsolete wardrobes. Whatever the associations which invest these with a value, or bind them to us by ties of a personal interest, they are comparatively trivial incidents to our pursuits. Even the events which are most widely known, and the men who shine most conspicuously among the great actors of the past, have a limited historical value; the extent of which is determined by their contributions to moral results. It is to the definition of these results, and their communication to our fellow men, that our associate efforts should tend." He showed how "the influence of history even upon adults is subject to grave qualifications, since some of its examples are available only in an

imperfect manner, even as guides to the understanding; for the shifting of circumstances renders it often difficult, and in some cases impossible, to establish for ourselves a certain theory of cause and effect. The conduct of men depends not upon detached facts or doctrines merely remembered, whether they have been learned early or late in life; but upon habits of thought and feeling; upon the association of ideas with the impulses which directly prompt to action. No school instruction can do more than establish such associations; none can perfect the knowledge, nor unalterably fix the habits of pupils. Hence, *the selection of the ends of conduct, the adjustment of the relative rank of principles; the establishment of certain habitual criteria; and the promoting of that development and orderly exercise of each faculty, which result from judicious discipline*—unless we purpose amusement or display, these must be the objects of instruction in history."

In my own personal intercourse with Mr. Foulke, which was frequent and intimate, I was profoundly impressed by one characteristic of his mind, more than by almost any other; namely, a hopelessness respecting the attainment of definite knowledge. This hopelessness was the result of two facts in his experience; first, that by reading diligently in almost every department of human science, he had attained an intellectual point of view, from which the boundlessness of nature and history and human life could be descried; and secondly, in devoting special zeal to special investigations, he had learned that the most judicious could seldom decide with confidence the absolute truth or the abstract right in anything. Among all my acquaintances I had no other whose spirit echoed so to the letter the despair of the wise man of Palestine, that the search after knowledge would ever be anything else than vanity and vexation of spirit. Inspired by this sentiment, he urges in this address, that "we should in vain attempt to teach all history," quoting his favorite, Dr. Arnold, who, after rising to the first rank of philosophical historians, could say "of many large and fruitful districts in the vast territory of modern history I possess only the most superficial knowledge; of some I am all but totally ignorant;" and Robertson: "the collections of historical materials are so vast, the term of human life is too short for the study or even the perusal of them. What then can be done during the longest academic period?"

His conclusion is that the details of history must be taught in the most abject subordination to its principles. The memorizing of dates must give way before the inculcation of ethical doctrines. The heart beats with a time of its own, not measured by the stars. The commencement of the Christian era itself is undetermined. His scheme of school instruction, then, at least for the mass of learners in American schools, limited itself to the inculcation of "*select practical precepts, illustrated by historical examples, and enforced by the aids used for the development of personal character.*"

In illustration of this scheme, I am tempted to quote page after page of this elegant and forcible address, but neither time permits, nor is more needful to show how naturally he generalized always in a practically philanthropic direction. He would conduct school discipline as he would guide prison discipline, out of the Egypt of empiricism into the promised land of life-inspiring philosophy. The schoolmaster as well as the jailor must be a philanthropist: the one must treat his prisoner and the other his scholar with an eye to make him a worthy citizen of the Republic. Therefore, in teaching history, facts are to be grouped about principles and doctrines, and to be remembered only when these principles and doctrines are to be applied. And his arguments were, that thus history can be taught with equal success to all classes of learners; the instruction can be made permanent in the mind and life; the great events of the past can be made to produce their greatest effect upon sentiments while plastic in the spring-time of life; a sentiment for civil obedience will grow along with the sentiment of domestic duty; and the love of progress can be harmoniously linked with a rational adherence to a settled order of things. The struggle of ages between the partisans of change and the adherents of established order,—the excesses of demand and of resistance,—the action of a majority prompted more by particular evils alleged or felt than by any consistent general estimate of the effects of existing institutions,—and the acrimonious character of political partisanship, will become evils of the past.

I have used his own expressions, scattered over the pages of this address. But I would not give the impression that he held Utopian views. Far from it. The only hope of the future which he cherished was of the largest and longest term. His political

motto was "*the fraternity of the race.*" He did not believe in republicanism as the only and sufficient panacea for the woes of society. "When we read," he says,—"when we read of mobs of the ancient world, who broke open senators' houses, and piled and fired their furniture in the forum; who took forcible possession of the *rostra*, and who disturbed or suspended the *comitia* by outcry or violence; who even pressed upon the senate so that the knights and others guarded the deliberations with drawn swords; who fired temples erected by obnoxious citizens, and who nullified legislative decrees constitutionally enacted,—we might attribute these disorders to the impatience of oppressed subjects, or to the licentiousness of mercenary adherents of profligate men striving for power and for the control of the public treasury. But when we turn to this republic, so wisely organized, so liberal in its institutions, so jealously restricted in favor of popular rights, so rich in the means of physical prosperity,—this Republic, in which no man attains to power except upon the uncontrolled votes of free electors; and even here, behold the same riotous excesses, the same armed intrusions upon the elective franchise; ballot-boxes forcibly broken open, and plundered, or abstracted, or fraudulently filled with spurious votes; contests with bludgeons and more deadly weapons; our citizens slaughtering each other in the open streets, and lighting the darkness of night by the flames of churches fired by their incendiary torches; and finally, when we see that these outrages, which charity might have attributed to a passing phrensy, are succeeded by deliberate attempts to nullify the laws of the land,—surely we have reason to look further than the subjects of controversy to discover the true sources of political mischiefs so dangerous to the commonwealth. Where can we find these, if not in those germs of individual character for the proper culture of which we design our methods of education?"*

* The allusions in this passage are, probably, to the bloodshed and burnings at Philadelphia, in the so called "Catholic Riots" of 1844; but they bear as pertinent an application to the elections of 1858. Mr. Foulke was then a young man. He immediately offered his services, in company with two of his young friends, Mr. Aubrey H. Smith and Mr. J. I. Clark Hare, to Mayor Scott, who appointed them his aids. They proposed the raising of a company to be composed of respectable young men. Lieut. Izard, of the Navy, was made Captain. It was stationed, on Thursday night, to guard St. Patrick's Church, and on the following night, at the College of St. Charles Borromeo, where many amusing episodes took place between the young men—the guards and the guarded. What

His cure for these evils of the society of all ages was no mechanical arrangement of the social machinery, no paper constitution, ballot box, or national flag; but a profound inoculation of each rising generation with the genius of Christian order, sympathy with justice and truth, and faith in the great dogma of the nineteenth century, the brotherhood of man. He predicted that "this idea of the *fraternity of the race*, so interesting in moral history, so fundamental to all rational theories of social connection and intercourse, is now approaching the place which it is ultimately to hold in the councils of nations, as well as in the minor arrangements of civil communities. "Teach this to our youth, if all else be unlearned. It is of incalculably greater worth than all the skeleton histories ever compiled."

Our friend was a true American. He loved his country and his own State, but in a large and generous way, and with many-sided sympathies for other races and peoples whom he never even saw. I remember well a curious illustration of this many-sidedness, which took place in his own dining room. Four men sat around the breakfast table. One, was an old school abolitionist, the personal friend of William Lloyd Garrison and Wendell Phillips; another, was a distinguished rabbi of the Jewish synagogue, with intense pro-slavery predilections; the third was a black man, a graduate of Oxford, and president of the Theological Seminary at Liberia; and the fourth, was the host. A party incongruous enough. Few men would be capable of fusing together such odd elements. But he could do it. And that without the sacrifice of either dignity or principle. Holding his own position firmly, he could estimate the worth of the most opposite characters, and draw from every kind of soil its own peculiar fruits. There was in him such a combination of religious faith with clear-sighted skepticism,—such a love of the good old ways, mixed with a zeal for better things to come,—such com-

threatened to be a national calamity, but was in fact only a salutary exercise of brute force by society, in its irresponsible state, determined at all hazards to suppress a chronic nuisance,—ended, when the desired object was attained, in a sudden and spontaneous return to the ordinary state of things. The good effects of this terrible outbreak of popular indignation against the great and otherwise intangible element of political disturbance in Philadelphia were felt for many years. But the appearance and bearing of our military volunteers may have preserved the city from secondary evils consequent upon the loosening of the ordinary restraints of the law upon the viler part of its population.

prehension of the springs of prejudice, with such reverence for whatever was true and noble in the lives and hearts of the most prejudiced — that he could be the adviser and the friend of all.

In politics, he said himself, that he was a Federalist. “Read the Federalist, and you will learn what I think.” At a dinner given by the Maryland Historical Society, at Baltimore, in February, 1853, he had occasion to reply to some violent and inflammatory political remarks which fell from Senator Toombs of Georgia, who was one of the guests. Mr. Crittenden, who was also present, coming round the table to where Mr. Foulke was sitting, said that he wished to introduce himself to a gentleman who had reprobated treasonable sentiments in so patriotic and forcible, and yet so controlled a manner. To the day of his death his treatment of those whom he considered the enemies of the Republic, was marked by a mixture of fearless sincerity and gentlemanly courtesy. In the vehemence of his feelings I never heard him use a harsh or ill-bred expression. A more loving, affectionate heart never beat. He was the tenderest of husbands and fathers.

It is not for me to enter more deeply into his inner life. He always expressed respect for the established forms of worship, while professing his entire independence of established creeds. The same moderation which characterized his mental estimate of the ultimate value of scientific attainments, those made by even the best thinkers, in view of the infinite copiousness, complexity and obscurity of the facts of the material world, equally characterized his estimate of the absolute finality of theological opinions based upon a discussion of invisible and spiritual things, the final causes of the universe, and the eschatology of schoolmen. He seemed to hold fast only by the moral principles of Christianity, the evident wisdom and goodness of God; the perfect adaptation of the Christian Gospel to remedy the evils and guide the upward progress of human life, the beauty of personal virtue, and the harmonious concurrence of reason and religion.

To this essential religious side of his character fitted his aesthetic sentiment, a keen appreciation of the beauties of nature, and a pure taste in high art. His private letters from the romantic scenes of our Pennsylvania mountain country breathe

not only the most healthy enjoyment of every object in nature, but that power of a cultivated imagination which transforms objects of sensible perception into symbols of thought and feeling. In times of trouble and personal sorrow he drew consolation and acquired new fortitude from the mute phantasmagoria of the earth and air; that pantomimic drama, where every scene infolds some esoteric mystery, only to be interpreted by those who have passed through the initiations.

His remarkable powers of conversation are known to all his acquaintances. He seemed to have read every book, to have known personally every representative man of the day, to have traveled through all the regions of modern knowledge. He narrated, and he argued, with equal perspicacity of view, purity of language, precision of details, and fulness of illustration; and perhaps no better conclusion to this slight sketch of his life and character can be made than by quoting what one of the most distinguished and one of the most temperately judicious of his fellow members in this Society said of him, after his death: "In all the world I have never met any one having the same extent and variety of knowledge, who had at the same time such accuracy and precision of knowledge."

Time enough has elapsed to enable us to estimate and lament his loss to us in this Hall; for he was preëminently one of those who kept alive the spirit of this Society; relieving our meetings of that stiffness and barrenness, which it always proves so difficult a task to remedy, where a few only assemble, periodically, not to relate their personal experimental discoveries, but to listen to the more general conclusions of philosophic thought. Nothing but the leading intelligence of a vivacious, enthusiastic, fearless, general scholar can save such meetings from degenerating into a dry observance of parliamentary forms, oppressed by the ennui of a constrained, cold silence, or the still less endurable ennui of a pseudo-scientific gossip in which everything is crudely said or timorously hinted at. It is not too much to affirm that the new life which this Society has begun to exhibit, is greatly due to the cultivated mental activity, the eloquent speech, the administrative ability, and the enthusiastic interest in everything occurring within these walls, ceaselessly exhibited by William Parker Foulke.